



STATE OF DELAWARE
PUBLIC SERVICE COMMISSION
861 SILVER LAKE BLVD.
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904
TELEPHONE: (302) 736-7500

MEMORANDUM

TO: The Chairman and Members of the Commission

FROM: Lisa B. Driggins, Public Utility Analyst

A handwritten signature in ink, appearing to read "LBD", enclosed in a circular stamp.

DATE: August 24, 2020

SUBJECT: IN THE MATTER OF THE APPLICATION OF TIDEWATER UTILITIES, INC.
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO
PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. § 203C ("SUSSEX
061220")

(FILED JULY 13, 2020) - PSC DOCKET NO. 20-0436

On July 13, 2020, Tidewater Utilities, Inc. ("Tidewater") filed an application ("Application") with the Delaware Public Service Commission (the "Commission") pursuant to 26 *Del. C.* § 203C(e)(1)b.2 seeking a Certificate of Public Convenience and Necessity ("CPCN") to provide water service to five parcels of land in Sussex County, Delaware, known as Tax Map Parcel Nos. 532-6.00-83.00, 332-7.00-31.09, 233-9.00-13.00, 133-20.00-6.01 and 133-20.00-6.04 also known as Sussex061220 (the "Proposed Service Area").

As required under 26 *Del. C.* § 203C(e)(1)b.2 and the Commission's Regulations Governing Certificates of Public Convenience and Necessity for Water Utilities, 26 *Del. Admin. C.* § 2002 (the "Regulations"), the Application contained the following documentation: (1) a copy of a petition signed by all landowners of record encompassed in the Proposed Service Area requesting to be included in the Proposed Service Area; (2) a copy of the United States Postal Service forms verifying that the Company sent, via certified mail, a Commission-approved notice to all landowners of record for each parcel within the Proposed Service Area; (3) a list of the County tax map parcel identification numbers of the properties and identification of all landowners of record included in the Proposed Service Area;¹ and (4) a copy of the associated map clearly marking the Proposed Service Area. Additionally, the Application contained Tidewater's

¹At Staff's request, Tidewater submitted a written certification that the Company: (i) reviewed the appropriate tax or land record documents relating to the Proposed Service Area; (ii) confirmed that the landowners identified in the parcel listing are the landowners of record; and (iii) verified that the petitions included in the Application have been signed by each landowner of record.

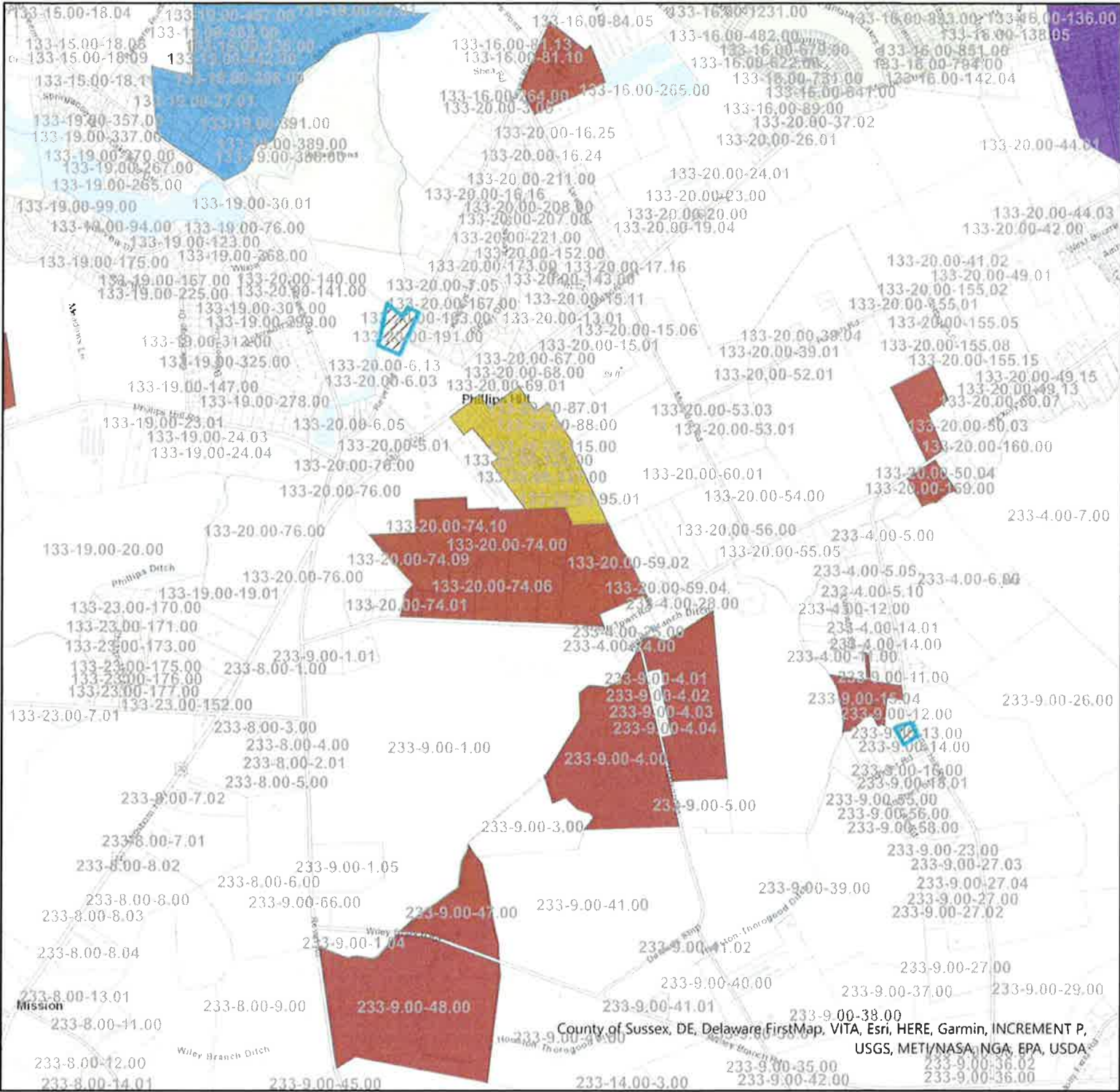
statement that: (i) its expansion of service to the Proposed Service Area will comply with the water pressure requirements of 26 *Del. C.* § 403(a) and (b); and (ii) Tidewater is not barred by any of the restrictions set forth in 26 *Del. C.* § 403(c).

In addition to the required notification to all the landowners of record, Tidewater published a notice in the Delaware State News newspaper and The News Journal newspaper on July 17, 2020. The notice advised residents that: (i) the Application may be reviewed at the Commission's office during normal business hours or on its website; (ii) a hearing on this matter would not be held unless an appropriate request was received; and (iii) the property owner may object to or "opt-out" of the Proposed Service Area. To date, Staff has received no comments regarding the Application, and no landowners of record included in the Proposed Service Area have objected to the Application or elected to "opt-out" of the Proposed Service Area.

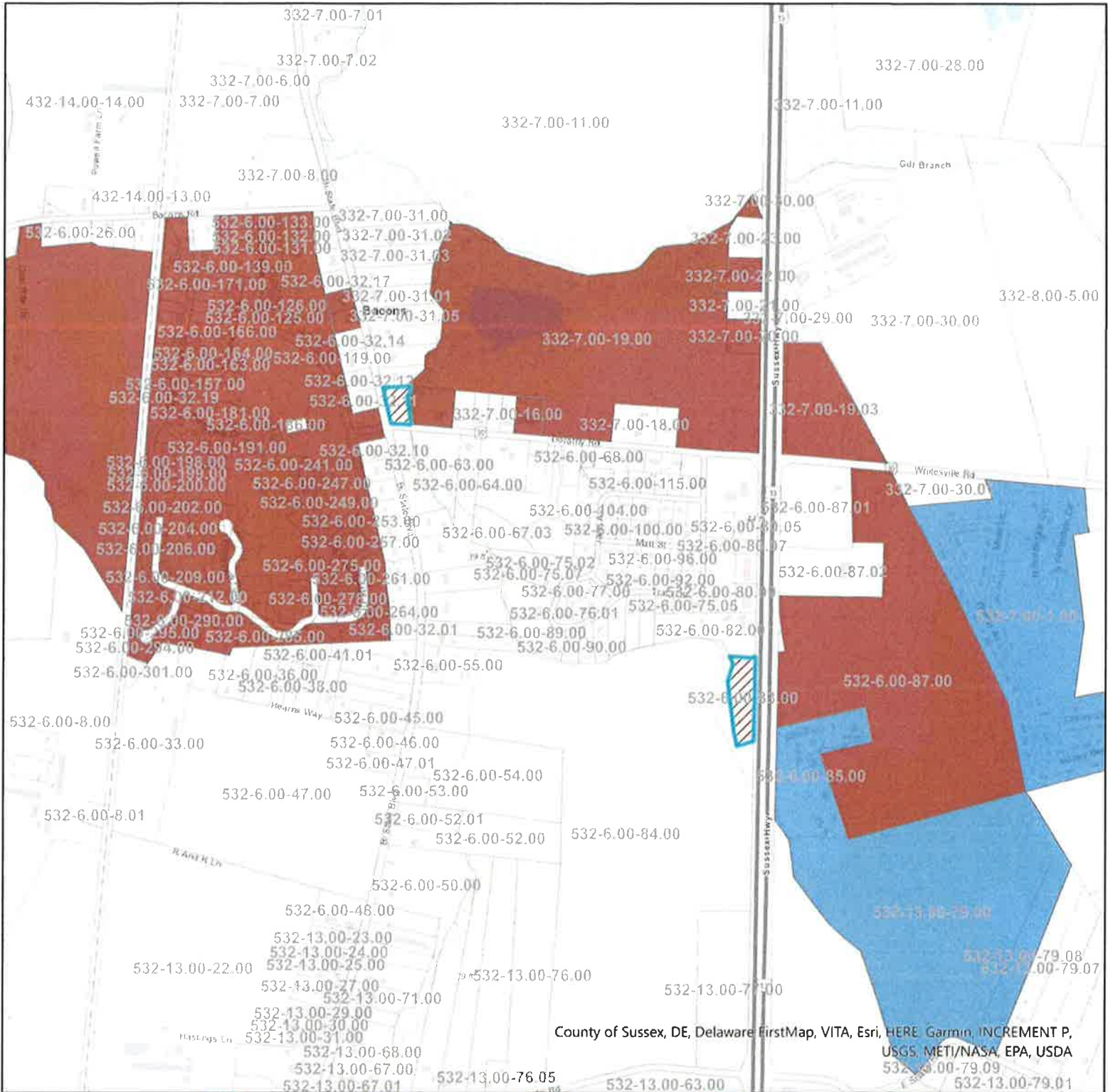
Staff reviewed the Application to ensure compliance with the statutory provisions of 26 *Del. C.* § 203C and the Regulations. No errors or omissions were found. Finally, to determine whether the Commission should deny the requested CPCN as set forth in 26 *Del. C.* § 203C(f), Staff solicited comments from the Delaware Department of Natural Resources and Environmental Control ("DNREC"), the Office of the State Fire Marshal ("SFM"), and the Office of Drinking Water of the Division of Public Health ("ODW"). DNREC, SFM, and ODW responded and confirmed they have no issues relating to Tidewater's ability to provide safe, adequate, and reliable water services to its existing customers.

In summary, Tidewater has submitted the necessary proof required under 26 *Del. C.* § 203C(e)(1), 203C(e)(1)b.2, 203C(e)(3), and the Regulations for CPCN issuance. In accordance with 26 *Del. C.* § 203C(f), Staff finds no basis for denial and, therefore, respectfully recommends that the Commission grant Tidewater a CPCN based upon the Application.

Tidewater Utilities, Inc.
Docket No. 20-0436 "Sussex061220"
September 9, 2020



Water CPCN		Delaware State Parcels	
COMPANY1,Approved			
<Null>,Yes	Bridgeville,Yes	Frederica,Yes	Middletown,Yes
Abandoned,Yes	Camden,Yes	Georgetown,Yes	Milford,Yes
Artesian,No	Clayton,Yes	Greenwood,Yes	Millsboro,Yes
Artesian,Yes	Dagsboro,Yes	Harrington,Yes	Milton,Yes
Bethany,Yes	Delaware City,Yes	JH Wilkerson,Yes	NCC,Yes
Blades,Yes	Delmar,Yes	Laurel,Yes	Ocen View,Yes
	Dover,Yes	Lewes BPW,Yes	Pickering Beach,Yes
	Felton,Yes	Longneck,Yes	Public Water,Yes
	Frankford,Yes	Magnolia,Yes	Rehoboth,Yes
			Seaford,Yes
			Selbyville,Yes
			Smyrna,Yes
			Southern Shores,Yes
			Sussex,Yes
			Sussex Shores,Yes
			Tidewater,No
			Tidewater,Yes
			United,Yes
			<all other values>



Water CPCN	COMPANY1, Approved	Delaware State Parcels
<Null>, Yes	Bridgeville, Yes	Frederica, Yes
Abandoned, Yes	Camden, Yes	Middletown, Yes
Artesian, No	Clayton, Yes	Milford, Yes
Artesian, Yes	Dagsboro, Yes	Millsboro, Yes
Bethany, Yes	Delaware City, Yes	Milton, Yes
Blades, Yes	Delmar, Yes	NCC, Yes
	Dover, Yes	Ocen View, Yes
	Felton, Yes	Pickering Beach, Yes
	Frankford, Yes	Public Water, Yes
	Georgetown, Yes	Rehoboth, Yes
	Greenwood, Yes	Seaford, Yes
	Harrington, Yes	Selbyville, Yes
	JH Wilkerson, Yes	Smyrna, Yes
	Laurel, Yes	Southern Shores, Yes
	Lewes BPW, Yes	Sussex, Yes
	Longneck, Yes	Sussex Shores, Yes
	Magnolia, Yes	Tidewater, No
		Tidewater, Yes
		United, Yes
		<all other values>
		Public State Parcels